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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,615	08/30/2001	John S. Erickson	1509-217	6749

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EXAMINER

PWU, JEFFREY C

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/941,615

Applicant(s)

ERICKSON ET AL.

Examiner

Jeffrey Pwu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/03/01, 10/17/02, 07/19/04
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being unpatentable over Ginter et al. (U.S. 6,389,402).

Ginter et al. disclose claims:

1. Apparatus for providing a proxy service between one or more client platforms and one or more remote content providers providing electronic content or information, the apparatus comprising:

means for receiving and interpreting a request from a client platform for electronic content from a content provider (102, 108; fig.2);

means for transmitting said request to said content provider and for receiving data including at least one marker identifying the location of a remote information handling and/or policy enforcement server appropriate to the content being requested (apparatus and method steps of figs.1 & 2);

means for interpreting said one or more markers and transmitting a request on behalf of said client platform for a clear content version of said content for transmission to said client platform provided that the requirements of the information handling and/or policy enforcement server are met (figs. 1, 2; 200f, 200f, 200c, 200b, 202, 216, 205, 122, 104, 110, 108, fig.4, fig.7).

2. Apparatus for providing a proxy service between one or more client platforms and one or more remote platforms arranged to receive electronic content or information from said one or more client platforms, the apparatus comprising means for receiving data from the client

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platform for transmission to a remote platform, said data being representative of the information or content to be provided to said remote platform and including at least one marker identifying the location of a remote information handling policy enforcement service appropriate to the information being provided, means for interpreting said one or more markers and transmitting a request to the appropriate information handling policy enforcement service for a clear-content version of said information to be provided to said remote location provided that the requirements of said information handling policy enforcement service are met (apparatus and method steps of figs.1 & 2; 200f, 200f, 200c, 200b, 202, 216, 205, 122, 104, 110, 108, fig.4, fig.7, fig.8, fig.9, fig.10).

3. Apparatus according to claim 1, wherein in response to a request for content for the proxy service, the content server returns a data stream including one or more markers including details of the location of one or more other services with which the proxy service must interact before a copy of the content can be transmitted to the client platform (col.13, line 5-16, line 53; also see VDE functions, 602, 604, 608, and fig.11)

4. Apparatus according to claim3, wherein the markers are preferably embedded within the data stream and only recognizable and interpretable by specific means provided within the proxy service (apparatus and method steps of figs.1-10).

5. Apparatus according to claim 1, wherein in transmitting a request for the content to the remote information handling/rights management server, the proxy service is arranged to include in the request data relating to the client platform, such as the session ID in the case where the client platform is a web browser of the like (col.26, line 38-col.28, line 64).

6. Apparatus according to claim 1, wherein one the request for content is received from the proxy service, and the information handling/rights management server has verified the legitimacy of the request, it creates a clear-content version of the content and stores it at a particular location, either locally or remotely and returns details of said location to the proxy service (VDE 100).

7. Apparatus according to claim 6, wherein said clear-content version of the content is stored temporarily (file management system 687, 730, 744, 752).

8. Apparatus according to claim 6, wherein the proxy service in arranged to transmit the details of the location of which the clear-content version of the content is stored to the client platform,

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so that the client platform can retrieve said clear-content copy, if certain requirements of the information handling/rights management server are met (figs. 12-14).

9. A method of providing a proxy service between one or more client platforms and one or more remote content servers providing electronic content, the method comprising the steps of receiving and interpreting a request from a client platform for electronic content from a content server, transmitting said request to said content server and for receiving data including at least one marker identifying the location of a remote information handling and/or policy enforcement server appropriate to the content being requested, means for interpreting said one or more markers and transmitting a request on behalf of said client platform for a clear-content version of said content for transmission to said client platform provided that the requirements of said information handling and/or policy enforcement service are met (figs. 1, 2; 200f, 200f, 200c, 200b, 202, 216, 205, 122, 104, 110, 108, fig.4, fig.7).

10. A method for providing a proxy service between one or more client platforms and one or more remote platforms arranged to receive electronic content or information from said one or more client platforms, the method comprising the steps of receiving data from a client platform for transmission to a remote platform, said data being representative of information or content to be provided to said remote platform and including at least one marker identifying the location of a remote information handling policy enforcement service appropriate to the information being provided, interpreting said one or more markers and transmitting a request to the appropriate information handling policy enforcement service for a clear-content version of said information to be provided to said remote location provided that the requirements of said information handling policy enforcement service are met (figs. 1, 2; 200f, 200f, 200c, 200b, 202, 216, 205, 122, 104, 110, 108, fig.4, fig.7).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Pwu whose telephone number is 571 272-6798. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David

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Wiley can be reached on 571 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Saturday, November 13, 2004

JEFFREY PWU  
PRIMARY EXAMINER